

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

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|--------------------------------------|---|---------------------------------------|
| CHRISTIAN D. SPANKS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 1:21-cv-01440-AMM-JHE |
| |) | |
| OFFICER BROWN, <i>et al.</i>, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM OPINION

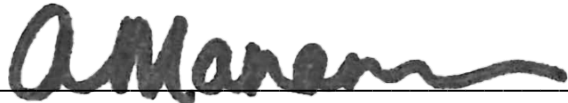
Plaintiff Christian D. Spanks filed a *pro se* amended complaint under 42 U.S.C. § 1983, alleging violations of his rights under the Constitution or law of the United States. Doc. 7. On May 8, 2023, the magistrate judge entered a report recommending this action be dismissed for failing to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915A(b)(1). Doc. 10. Although the magistrate judge advised Mr. Spanks of his right to file written objections within fourteen days, Doc. 10 at 7; Docs. 11, 13, the court has not received any objections.¹

¹ On June 8, 2023, the magistrate judge noted that the Alabama Department of Corrections' website indicated Mr. Spanks had been transferred from Red Eagle Work Center to Kilby Correctional Facility. Doc. 11. The magistrate judge directed the Clerk to revise Mr. Spanks's address and forward a copy of the report and recommendation to him at his current address. *Id.* The magistrate judge advised Mr. Spanks that he would have fourteen days to file written objections to the report and recommendation. *Id.* On June 26, 2023, the court received Mr. Spanks's motion for an extension of time to file objections. Doc. 12. On June 27, 2023, the magistrate judge granted Mr. Spanks's motion and directed him to file objections within fourteen days. Doc. 13. More than fourteen days have elapsed, and the court has not received any objections.

After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation and 28 U.S.C. § 1915A(b)(1), this action is due to be dismissed without prejudice for failing to state a claim upon which relief may be granted.

A final judgment will be entered.

DONE and **ORDERED** this 26th day of July, 2023.



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE